

RESPONSE

Serial Number: 10/602,750

Filing Date: 06/24/2003

Title: REPROGRAMMABLE VEHICLE ACCESS CONTROL SYSTEM

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Atty Docket No.: 17333

REMARKS

Claims 1-29 are pending in the present application. Claims 1-29 were rejected in the Office Action dated 03/30/2005. Claims 1, 12, 19, 24 and 25 are amended herein.

Claim Rejections – 35 USC 112

The Examiner rejected claims 24-26 under 35 USC 112, second paragraph as being indefinite. The Applicants respectfully traverse the Examiner's rejection of the claims.

The grounds for the rejection were that claim 24 refers to a "system" but depends from a method claim. Claim 24 has been amended to depend from claim 19 as the Examiner recommended.

Claim 25 was "unclear" regarding its use of the word "transponder". The Applicants have amended claim 25 as the Examiner recommended.

Claim Rejections – 35 USC 102

The Examiner rejected claims 1-3, 5-10, 12-16, 18-22, and 27-28 under 35 USC 102 as being anticipated by Hayashi (USPN 5912512). The Applicants respectfully traverse the Examiner's rejection of the claims.

Argument:

Regarding independent claims 1, 12 and 19, Hayashi does not disclose a system or method that includes "**programming the second smart key with a number that indicates the second smart key is authorized to use the vehicle**" In the Hayashi system, the key is not

programmed with a number to give it access to the vehicle. Only the Hayashi computer is programmed with a number that gives the second key authorization to use the vehicle.

For at least this reason, Hayashi does not anticipate independent claims 1, 12 and 19, and claims 2-3, 5-10, 13-16, 18, 20-22 and 27-28 dependent thereon.

Claim Rejections 35 USC 103(a)

Hayashi and Lambropoulos

The Examiner rejected claims 4, 11, 23 and 29 under 35 USC 103(a) as being unpatentable over Hayashi as applied above, and in combination with Lambropoulos (USPN 4881148). The Applicants respectfully traverse the Examiner's rejection of the claims.

Argument:

Regarding independent claims 1 and 19, upon which the rejected claims depend, neither Hayashi nor Lambropoulos disclose a system or method that includes "**programming the second smart key with a number that indicates the second smart key is authorized to use the vehicle**". In the Hayashi system, the key is not programmed with a number to give it access to the vehicle. Only the Hayashi computer is programmed to give the key access to the vehicle. Likewise with the Lambropoulos system.

For at least this reason, neither Hayashi nor Lambropoulos make the invention of claims 1 and 19 unpatentable.

Hayashi and Enyoshi

The Examiner rejected claims 11, 24-26 and 29 under 35 USC 103(a) as being unpatentable over Hayashi as applied above, in combination with Enyoshi (USPN 6525433). The Applicants respectfully traverse the Examiner's rejection of the claims.

Argument:

Regarding independent claims 1 and 19, upon which the rejected claims depend, neither Hayashi nor Enyoshi disclose a system or method that includes "**programming the second**

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smart key with a number that indicates the second smart key is authorized to use the vehicle" In the Hayashi system, the key is not programmed with a number to give it access to the vehicle. Only the Hayashi computer is programmed to give the key access to the vehicle. The Enyoshi system is similarly constructed.

For at least this reason, neither Hayashi nor Enyoshi make the invention of claims 11, 24-26 and 29 unpatentable.

Hayashi and Mutoh

The Examiner rejected claim 17 under 35 USC 103(a) as being unpatentable over Hayashi as applied above, in combination with Mutoh (USPN 5621380). The Applicants respectfully traverse the Examiner's rejection of the claims.

Argument:

Regarding independent claim 1 upon which the rejected claim depends, neither Hayashi nor Mutoh disclose a method that includes "**programming the second smart key with a number that indicates the second smart key is authorized to use the vehicle**" In the Hayashi system, the key is not programmed with a number to give it access to the vehicle. Only the Hayashi computer is programmed to give the key access to the vehicle. The Mutoh system is similarly constructed.

For at least this reason, neither Hayashi nor Mutoh make the invention of rejected claim 17 unpatentable.

Hayashi and Hasegawa

The Examiner rejected claims 24-26 under 35 USC 103(a) as being unpatentable over Hayashi as applied above, and in combination with Lambropoulos (USPN 4881148). The Applicants respectfully traverse the Examiner's rejection of the claims.

Argument:

Regarding independent claim 19, upon which the rejected claims depend, neither Hayashi nor Lambropoulos disclose a method that includes "**programming the second smart key with a**

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number that indicates the second smart key is authorized to use the vehicle" In the Hayashi system, the key is not programmed with a number to give it access to the vehicle. Only the Hayashi computer is programmed to give the key access to the vehicle. The Hasegawa system is similarly constructed.

For at least this reason, neither Hayashi nor Hasegawa make the invention of rejected claims 24-26 unpatentable.

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Support for Amendments:

Support for the amendments can be found in the claims as filed and in paragraph 107 of the specification.

Conclusions:

All the claims are now believed to be in condition for allowance, early notification of which is hereby requested. If a teleconference would advance the prosecution of the case the Examiner is requested to call the undersigned at the telephone number below.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 12th day of July, 2005

Stephen M. Patton

/Stephen Michael Patton #36235/

Name

Signature